FILED

OCT 16 2007

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

AUSA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Phillip Gomez RENDON Defendant.	Magistrate Case No. 07 MJ 8853 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about October 15, 2007, within the Southern District of California, defendant Phillip Gomez RENDON did knowingly and intentionally import approximately 51.54 kilograms (113.39 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[signature] S/A
Chad N. Worgen, Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 16th DAY OF OCTOBER 2007.

[signature]
Peter C. Lewis
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Phillip Gomez RENDON

STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents, and notes furnished to United States Immigration and Customs Enforcement Special Agent Chad N. Worgen.

On October 15, 2007, at approximately 0910 hours, Phillip Gomez RENDON entered the United States from the Republic of Mexico at the Calexico, California West Port of Entry. RENDON was the driver and sole occupant of an unlicensed 1996 Toyota T100 pickup truck.

Customs and Border Protection Officer (CBPO) L. Rodriguez was assigned primary inspectional duties and received a negative oral Customs declaration from RENDON. Rodriguez observed RENDON was nervous by his hands shaking. During cursory inspection, Rodriguez observed that the bed of the pickup truck appeared to be shallow. Rodriguez referred both RENDON and the pickup truck to vehicle secondary for a more intensive inspection.

CBPO O. Oceguera was assigned secondary inspectional duties in vehicle secondary. Oceguera approached RENDON and received a negative oral Customs declaration. During questioning, Oceguera observed RENDON appeared to be nervous. RENDON was talking very rapidly and pacing side to side. During inspection, Oceguera observed that the bed of the pickup truck was abnormally high. Oceguera requested Canine Enforcement Officer (CEO) D. Alba to screen the vehicle with his canine.

CEO Alba informed Oceguera that his canine alerted to the pickup truck. Upon further inspection, Oceguera discovered a non-factory compartment located within the bed of the pickup truck. Oceguera extracted fifty-six (56) packages from the compartment. Oceguera probed a package that produced a green leafy substance that tested positive for marijuana. The total weight of the packages was 51.54 kilograms (113.39 pounds) of marijuana.

RENDON was arrested for violation of Title 21 United States Code 952 and 960, Importation of a Controlled Substance. RENDON was advised of his Miranda rights and agreed to answer questions. RENDON admitted he knew marijuana was to be concealed within the pickup truck. RENDON stated that he was to be paid $100.00 United States dollars for each pound of marijuana smuggled into the United States.